

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	Criminal No. 05-30003-MAP
)	
v.)	
)	
GODFREY TANDOW,)	
and)	
STANLEY MIMS,)	
Defendants.)	

MEMORANDUM PURSUANT TO LOCAL RULE 116.5

The United States of America, by and through its undersigned attorneys hereby files this memorandum. The government has provided copies to Mark Mastroianni, counsel for Defendant Tandoh, and to Attorney Mickey Harris, counsel for Stanley Mims.

1. The Government has provided or made available all of its discoverable information. There are no outstanding discovery requests from the Defendant in this case. The Defendant has not provided any discovery to the government.

2. The parties do not anticipate additional discovery as the result of future receipt of information.

3. The defendants do not intend to raise a defense of insanity or public authority.

4. The government has requested notice of alibi by the defendants and there has been no response by the Defendant.

5. The Defendants have not yet filed, and are unlikely to file in the future, a motion to dismiss, or suppress, or other motion requiring a ruling by the District Court before trial

pursuant to Fed. R. Crim. Pro. 12(c).

7. The parties are currently engaging in plea negotiations, and the parties are optimistic that the case will be resolved short of trial. The parties request this Court to schedule a change of plea date for each Defendant.

8. The parties agree that there are periods of excludable delay. Defendant Tandoh, through his counsel, agrees that the time from May 10, 2005, the date of the initial status, until the present, September 16, 2005 should be excluded in the interests of justice. Defendant Mims, through his counsel, agrees that the time from May 20, 2005, until the present, September 16, 2005 should be excluded in the interests of justice.

Therefore, as of the day of the Status Conference on September 16, 2005, no time has run on the Speedy Trial clock.

Filed this 15TH day of September, 2005.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

/s/ Paul Hart Smyth
Paul Hart Smyth
Assistant United States Attorney

Mark Mastroianni, Esquire
Counsel for Godfrey Tandoh

Mickey Harris, Esquire
Counsel for Stanley Mims

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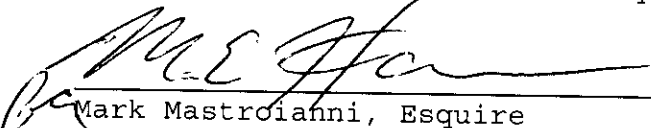
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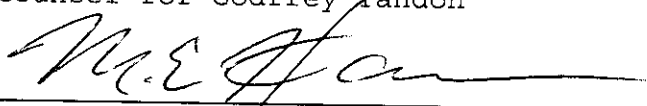
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MICHAEL J. SULLIVAN
United States Attorney

/s/ Paul Hart Smyth
Paul Hart Smyth
Assistant United States Attorney


Mark Mastroliaanni, Esquire
Counsel for Godfrey Tandoh


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